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January 9, 2009

To: **US-PTO Commissioner of patents**

Application No: **US10/538.907**
Titled : **VARIABLE VALVE GEAR**
Applicant: **PATTAKOS Manousos et al**
Examiner: **CHING CHANG**
Art Unit : **3748**

This is the 2nd reply to your " FINAL ACTION " letter (mailed 07.14.2008).

The national phase in EPO (application 04 769 056) of the PCT/GR2004/00043 international application is now fulfilled with the grant of a European patent (attached is the official communication under rule 71(3) EPC and the claims as approved).

The national phase in USA (application US10/538.907) of the same PCT/GR2004/00043 international application is finalized with the refusal of your Office to grant a patent. Instead, in express time USPTO granted to Hyundai the patent US7,261,074 which, looked under the light of the more than two year "older" PCT/GR2004/00043 application, has neither novelty, nor inventive step.

EPO and USPTO are the two biggest Patent Offices of the world.

English is the official language of the European Patent Office (EPO), it is also the official language of the United States Patent and Trademark Office (USPTO), so, both patent offices were based on exactly the same text and drawings as published by WIPO/PCT (i.e. there is no case for translation mistakes and similar problems).

As an independent inventor I followed the rules of the existing Patenting System.

It is now more than five years from the earliest priority date (18 August 2003).

In these five years numerous fees were paid and numerous formalities were fulfilled.